

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

**IN RE:**

**CASE: R18-40604-PWB**

**KRISTI NICOLE BURNS**

**CHAPTER 13**

**Debtor**

**Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

COMES NOW Mary Ida Townson, Standing Chapter 13 Trustee herein, and files this her Motion to Dismiss Case for Failure to Make Plan Payments, respectfully showing the Court the following.

1.

The Debtor filed for relief under Chapter 13 of Title 11 on March 16, 2018.

2.

The Debtor has failed to comply with the terms of the confirmed plan. As of July 27, 2020, the Debtor should have paid \$9,100.00. The Debtor has paid a total of \$6,660.44, causing a delinquency of \$2,439.56. The Trustee has not received any plan payments in this case since April 14, 2020.

3.

The Debtor's case will extend longer than sixty (60) months, contrary to 11. U.S.C. § 1322(d).

WHEREFORE, the Chapter 13 Trustee requests this case be dismissed.

Dated: 8/3/2020

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Albert C. Guthrie, Attorney  
for the Chapter 13 Trustee  
GA Bar No. 142399  
285 Peachtree Center Ave, Suite 1600  
Atlanta, GA 30303-1229  
albertg@atlch13tt.com

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

**IN RE:**

**CASE: R18-40604-PWB**

**KRISTI NICOLE BURNS**

**CHAPTER 13**

**Debtor**

**Notice of Hearing on Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

PLEASE TAKE NOTE that the Chapter 13 Trustee has filed a Motion to Dismiss Case for Failure to Make Plan Payments and related exhibits with the Court seeking an order of dismissal.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **September 02, 2020 at 9:45 AM in Courtroom 342, Federal Building, 600 East First Street, Rome, GA 30161.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two (2) business days before the hearing. The address of the Clerk's Office is **Clerk, U.S. Bankruptcy Court, Federal Building, 600 East First Street, Rome, GA 30161.** You must also mail a copy of your response to the undersigned at the address stated below.

**Given the current public health crisis, hearings may be telephonic only. Please check the ["Important Information Regarding Court Operations During COVID-19 Outbreak"](#) tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.**

Dated: 8/3/2020

Respectfully submitted,

/s/  
\_\_\_\_\_  
Albert C. Guthrie, Attorney  
for the Chapter 13 Trustee  
GA Bar No. 142399

R18-40604-PWB

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

KRISTI NICOLE BURNS  
1327 RIDGE RD SE  
DALTON, GA 30721

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

RICKMAN & ASSOCIATES, PC

Dated: August 03, 2020

Respectfully submitted,

/s/ \_\_\_\_\_  
Albert C. Guthrie, Attorney  
for the Chapter 13 Trustee  
GA Bar No. 142399  
285 Peachtree Center Ave, Suite 1600  
Atlanta, GA 30303-1229  
(404) 525-1110  
albertg@atlch13tt.com